

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John G. Kay, et al. Unit: 1772  
Serial No.: 09/807,167 Examiner: Nordmeyer, Patricia L.  
Date Filed: November 6, 2002 Conf. No.: 2751  
Docket No.: 286952.122 Cust. No.: 23483  
Title: FLOOR COVERING MATERIAL AND METHOD FOR PRODUCING  
SAME

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT IN INTERFERENCE

Sir:

Applicants request that the above-identified application be amended as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on *page 2* of this paper.

Remarks begin on *page 6* of this paper.

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in this application.

**Listing of claims:**

Claims 1-25 (Cancelled)

Claim 26. (Previously presented): A floor covering material comprising a PVC layer and having aggregate embedded in the material for providing surface roughness wherein the material incorporates a barrier layer of polymeric material other than PVC fused into the upper surface of the PVC layer, the aggregate being embedded in the PVC layer and exposed at the upper surface of the barrier layer.

Claim 27. (Previously presented) A material according to claim 26 wherein the barrier layer is of a cured polymeric material.

Claim 28. (Previously presented) A material according to claim 26 wherein the barrier layer is of a thermoplastic material.

Claim 29. (Previously presented) A material according to claim 26 wherein the barrier layer is at least as flexible as the underlying PVC layer.

Claim 30. (Previously presented) A material according to claim 26 wherein the barrier layer is transparent or translucent.

Claim 31. (Previously presented) A material according to claim 26 wherein the polymeric material of the barrier layer provides enhanced dirt release and/or stain resistance in comparison to the PVC.

Claim 32. (Previously presented) A material according to claim 26 wherein the barrier layer comprises a polyolefin, (co-)polyester, (co-)polyamide, polyurethane, phenol formaldehyde, epoxy or acrylic polymer or a mixture thereof.

Claim 33. (Previously presented) A material according to claim 26 wherein the floor covering material has an embossed surface.

Claim 34. (Previously presented) A material according to claim 26 wherein the aggregate is quartz, corundum, and/or silicon carbide.

Claims 35-50 (Cancelled)

Claim 51 (New). A method of producing a floor covering material comprising

- (a) spreading a PVC plastisol on a substrate,
- (b) distributing over the surface of the plastisol a powder of a film forming, heat fusible polymeric material other than PVC and a particulate aggregate material, and
- (c) effecting heating to fuse the plastisol and convert the powder into a film,

steps (b) and (c) being effected such that the aggregate is embedded in the PVC and exposed at the upper surface of the film.

Claim 52. (New) A method according to claim 51 wherein the powder is distributed over the plastisol prior to the aggregate material.

Claim 53. (New) A method according to claim 51 wherein the powder applied to the plastisol is softened prior to distribution of the aggregate.

Claim 54. (New) A method according to claim 51 wherein the powder is distributed over the plastisol simultaneously with the aggregate.

Claim 55. (New) A method according to claim 51 wherein the aggregate is distributed over the plastisol prior to the powder.

Claim 56. (New) A method according to claim 55 wherein excess powder is removed from the plastisol prior to step (c).

Claim 57. (New) A method according to claim 55 wherein excess powder is removed by suction.

Claim 58. (New) A method according to claim 51 wherein the powder is a thermoplastic material.

Claim 59. (New) A method according to claim 56 wherein the powder is of a curable resin system.

Claim 60. (New) A method according to claim 56 wherein said resin system is cured by heat and curing is effected in step (c).

Claim 61. (New) A method according to claim 60 wherein the resin system is curable by UV-radiation.

Claim 62. (New) A method according to claim 61 wherein UV curing is effected subsequent to step (c).

Claim 63. (New) A method according to claim 61 wherein the powder comprises a polyolefin, (co-)polyester, (co-)polyamide, polyurethane, phenol formaldehyde, epoxy or acrylic polymer or a mixture thereof.

Claim 64. (New) A method according to claim 61 wherein embossing is applied subsequent to step (c).

Claim 65. (New) A method according to claim 61 wherein the aggregate is quartz, corundum and/or silicon carbide.

Claim 66. (New) A method according to claim 61 wherein the powder incorporates at least one of a flow modifying agent, a flame retardant, a biocide, a gloss modifier and a matting agent.

Remarks

Entry of the foregoing, reexamination and reconsideration of the subject matter of the invention as claimed herein are respectfully requested.

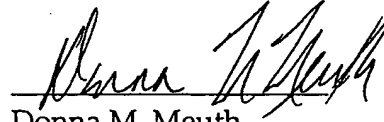
Claims 51-66 have been added to add back into the instant application claims 35-50, as previously presented and restricted by the Examiner. These claims are added pursuant to an agreement by the parties to include Count 2, directed to a method of producing a floor covering material as now claimed by both Polyflor and Altro.

Support for these claims may be found at the very least in the application as original claims 10-25. In addition, support may be found at the very least in PCT/GB/99/03269 in original claims 10-25.

In view of the above, Applicants respectfully request that this amendment be entered.

No additional fees are believed to be due in connection with this correspondence. Claims 35-50, which correspond to claims 51-66, had previously been paid for during prosecution. However, if any fees are due, please charge any payments due to our Deposit Account No. 08-0219.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Donna M. Meuth", written over a horizontal line.

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